

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KEISHA ROBINSON, *on behalf of herself and on
behalf of K.F., a minor and K.F., a minor,*

Plaintiffs,

-against-

**U.S. DEP'T OF JUSTICE U.S. DEA, U.S.
ATTORNEY OFFICE, NEW YORK STATE
POLICE, JOHN DOE #1-10, ET AL.,**

Defendants.

USDC SDNY
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DATE FILED: 10/27/2020

19-cv-02361 (ALC)(GWG)

ORDER TO SHOW CAUSE

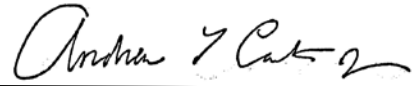
ANDREW L. CARTER, JR., United States District Judge:

On September 24, 2020, this Court issued an Order to Show Cause why this matter should not be dismissed without prejudice as to Ms. Robinson for failure to prosecute, *LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) ("[I]t is unquestioned that Rule 41(b) also gives the district court authority to dismiss a plaintiff's case sua sponte for failure to prosecute..."); and as to the minor Plaintiffs because they are without counsel, *Berrios v. N.Y.C. Hous. Auth.*, 564 F.3d 130, 135 (2d Cir. 2009) ("What the court may not properly do, however, is make a merits determination of claims filed on behalf of a minor or incompetent person who is not properly represented. . . . If counsel is not secured or appointed, the court may dismiss the complaint, but without prejudice."). ECF No. 78. A response from Plaintiffs was due by October 20, 2020. To date, Plaintiffs have made no response.

Accordingly, this matter is DISMISSED without prejudice. The Clerk of Court is directed to close this case. Defendants are ORDERED to serve this Order on Plaintiffs by mail and email and file proof of service by November 4, 2020.

SO ORDERED.

Dated: October 27, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", written over a horizontal line.

ANDREW L. CARTER, JR.
United States District Judge